

REMARKS

In the Official Action of September 20, 2005, made final, claim 10 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. This ground of rejection is respectfully traversed.

The Examiner states that it is not clear from the wording of claim 10 whether or not applicant is actually claiming the recited dust or dust mites. In response, applicant affirms that the dust or dust mites are not being claimed, and the material is capable of preventing dust or dust mites from escaping from the encasement.

Claims 1-7 and 10 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,049,938 to Jimison. This ground of rejection is respectfully traversed as applied to the amended claims.

The Examiner states that the recitation in the claims regarding the enclosure for the object have not been given patentable weight since the claims contain a statement of intended use only.

In response, the claims of this invention have been amended to include the object which can cause the allergic reaction due to the fact that it can release dust or dust mites, i.e. the toy or child's plaything.

Applicant notes that Jimison is directed to containers for fruits and vegetables, and is designed to clean this type of produce. This is completely unrelated to the invention now claimed in this application.

In view of the aforementioned facts and reasons, the present application is now believed to overcome the remaining rejections in this application, and to be in proper condition for allowance. Entry of the foregoing amendment at this time is deemed appropriate since no further review or search is required. Accordingly, reconsideration and withdrawal of the rejections, is respectfully solicited. The Examiner is invited to

contact the undersigned at the telephone number listed below to discuss any matter pertaining to the status of this application.

Dated: 3/14/06

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William Gosz", is written over a horizontal line.

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